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Attorneys for Debtor
KAREN DENISE HIXON-TAYLOR

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT COURT OF CALIFORNIA

In re:

KAREN DENISE HIXON-TAYLOR,

Debtor.

) Case No.: 11-43604

) Chapter 7

) DCN: RAC- 01

) **MOTION FOR ORDER COMPELLING**
) **TRUSTEE TO ABANDON DEBTORS'**
) **BUSINESS AND REAL ESTATE AS ASSET**
) **OF ESTATE [11 USCS §§ 554(b), 721]**

) Date: November 22, 2011

) Time: 9:32 a.m.

) Courtroom: 32, 6th Floor

) Honorable Judge Thomas C. Holman

MOTION FOR ORDER COMPELLING TRUSTEE TO ABANDON DEBTOR'S
BUSINESS AND REAL ESTATE AS AN ASSET OF THE ESTATE

Debtor, KAREN DENISE HIXON-TAYLOR, by and through her attorney of record
Richard A. Chan Jr., will and hereby do bring a Motion to Compel Trustee to Abandon The Estate's

1 Interest in Debtor's Businesses and Real Estate ("Motion") pursuant to 11 U.S.C.S. §§554(b) and
2 721 of the Bankruptcy Code and Federal Rule of Bankruptcy Procedure 6007(b).

3 By this motion Debtor request that the Court enter an order compelling the Chapter 7
4 Trustee to abandon the bankruptcy estate's interest in Debtor's Business on the following grounds:

- 5 1. Debtor's business do not possess or own any assets that might be liquidated for
6 value to benefit creditors and is therefore of inconsequential benefit to the estate,
7 and;
- 8 2. The retention and operation of the businesses by the Trustee would be
9 burdensome and costly to the estate and the creditors thereof.

10 Also by this motion Debtor request that the Court enter an order compelling the Chapter 7
11 Trustee to abandon the bankruptcy estate's interest in Debtor's Real Estate on the following
12 grounds:

- 13 1. Debtor's real estate, i.e., her primary residence is currently encumbered by BAC
14 Home Loans Servicing, LP for \$204,795.00 and with a junior lien holder Real Time
15 Resolutions for an additional \$14,458.00
- 16 2. Debtor asserted that the collateral's value was \$98,700.00 at the time of the filing
17 of her case in Chapter 7.
- 18 3. Hence, Debtor's real estate is underwater and cannot be liquidated for value to
19 benefit creditors and is therefore of inconsequential to the estate.

20 Said grounds will be supported by this notice of motion, by the motion filed herewith, by the
21 pleadings and papers on file in this bankruptcy case, memorandum of points and authorities herein,
22 declaration in support of this motion and exhibits, if any, filed herewith, and by such oral and
23 documentary evidence as the Court may permit upon the hearing of this motion.

24 Respectfully submitted,

25 ALLAYE CHAN LAW GROUP

26 Dated: October 24, 2011

27 By: /s/ Richard A. Chan Jr.
Richard A. Chan Jr.
Attorney for Debtors